

PART 186—[AMENDED]

3. In part 186:
- a. The authority citation for part 186 continues to read as follows:
- Authority:** 21 U.S.C. 348.
- b. In § 186.1250, by revising paragraph (a), to read as follows:

**§ 186.1250 Cyfluthrin.**

(a) A tolerance, to expire on November 15, 1997, of 2.0 parts per million is established for residues of the insecticide cyfluthrin (cyano(4-fluoro-3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate (CAS Reg. No. 69359-37-5)) in cottonseed hulls

resulting from application of the insecticide to cottonseed.

\* \* \* \* \*

c. By amending § 186.3225 by revising the table therein, to read as follows:

**§ 186.3225 Fenpropathrin.**

\* \* \* \* \*

Commodity	Parts per million	Expiration date
Cottonseed hulls .....	2.0	Nov. 15, 1997.

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DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Parts 12 and 18

**Administrative Requirements and Cost Principles for Assistance Programs—Subpart D—Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants); New Restrictions on Lobbying**

**AGENCY:** Office of the Secretary, Interior.  
**ACTION:** Notification of policy change.

**SUMMARY:** This document announces a change in Departmental policy concerning the acceptance of certification regarding nonprocurement debarment and suspension for primary and lower tier covered transactions; drug-free workplace requirements; and lobbying, including the statement for loan guarantees and loan insurance. Since the use of special Departmental forms to meet regulatory requirements was a statement of Departmental policy, and not regulatory, the Department is using this document to inform potential applicants for grants, cooperative agreements, and loans to the revised policy. This change is in keeping with the philosophies of the National Performance Review to streamline processes. The effect of this change is to allow applicants, at the instruction of the Departmental bureau or office, to use any forms or formats, including electronic equivalents, as long as the certification or statement contains the applicable language required by the regulation.

**EFFECTIVE DATE:** This policy change is effective on February 22, 1995.  
**FOR FURTHER INFORMATION CONTACT:**

Dean A. Titcomb, (Chief, Acquisition and Assistance Division), (202) 208-6431.

**SUPPLEMENTARY INFORMATION:** The Department joined in the publication of the Final Rule on Nonprocurement Debarment and Suspension published on May 26, 1988 (53 FR 19161-19211). To implement the certification requirements for participants in primary and lower tier covered transactions included in 43 CFR 12.510 (a) and (b), the Department developed two Departmental forms for use, specifically, DI-1953 (9/88), "Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions," and DI-1954 (9/88), "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions." The certification language used in these forms was the same as that appearing in Appendices A and B to Subpart D of 43 CFR Part 12.

With the publication of the Final Rule on Drug-Free Workplace Requirements published on May 25, 1990 (55 FR 21681-21705), the Department adopted a similar approach to implement the certification requirements required by 43 CFR 12.630(a). Specifically, DI-1955 (May 1990), "Certification Regarding Drug-Free Workplace Requirements" was developed for grantees other than individuals, and DI-1956 (May 1990), "Certification Regarding Drug-Free Workplace Requirements," was developed for grantees who are individuals. The certification language used in these forms was also the same as that appearing in Appendix C to Subpart D of 43 CFR Part 12.

The Interim Final Rule on New Restrictions on Lobbying was published on February 6, 1990 (55 FR 6735-6756). As part of its agency-specific preamble, the Department identified two Departmental forms to be used for implementing the lobbying certification and statement requirements included in 43 CFR 18.100 (b) and (d), specifically, DI-1963 (Jan 90), "Certification

Regarding Lobbying Form," and DI-1962 (Jan 90), "Statement for Loan Guarantees and Loan Insurance Form."

This policy change will increase the flexibility of the Departmental bureaus and offices for meeting these requirements and will accommodate particular needs of applicants that have the capability of using other methods to provide the certifications or statement. Departmental bureaus and offices will retain the option to continue accepting the existing forms and any subsequent revisions, a consolidated version of the forms, an electronic equivalent, forms of other Federal agencies, if appropriate, or forms prepared by automated systems of applicant organizations as long as the certification or statement contains the applicable language required by the regulation.

In some instances, the certification instructions found on the existing forms may no longer be included in program announcements. Potential applicants needing instructions for completion of a certification may refer to the published regulation or may request printed instructions from the individual named in the specific program announcement or publication.

Dated: January 31, 1995.  
**Bonnie R. Cohen,**  
*Assistant Secretary—Policy, Management and Budget.*  
[FR Doc. 95-4288 Filed 2-21-95; 8:45 am]  
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FEDERAL MARITIME COMMISSION

46 CFR Part 500

[Docket No. 95-04]

**Employee Responsibilities and Conduct**

**AGENCY:** Federal Maritime Commission.  
**ACTION:** Final rule.

**SUMMARY:** The Federal Maritime Commission ("Commission" or "FMC"), is repealing its existing agency

standards of conduct regulations that have been superseded by the branch-wide Standards of Ethical Conduct issued by the Office of Government Ethics ("OGE") and by the executive branch financial disclosure regulations. In place of its regulations, the FMC is substituting cross-references to the new branch-wide regulations.

**EFFECTIVE DATE:** February 22, 1995.

**FOR FURTHER INFORMATION CONTACT:** David R. Miles, Designated Agency Ethics Official, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, D.C. 20573, (202) 523-5740.

**SUPPLEMENTARY INFORMATION:** On November 6, 1984, the Federal Maritime Commission adopted administrative regulations governing employee responsibilities and conduct; statements of employment and financial interests; and executive personnel financial disclosure reports. See 46 CFR part 500, subpart A, B, C, and D. On August 7, 1992, the Office of Government Ethics published Standards of Ethical Conduct for Employees of the Executive Branch ("Standards") for codification at 5 CFR part 2635. See 57 FR 35006-35007, as corrected at 57 FR 48557 (October 27, 1992) and 57 FR 52583 (November 4, 1992). The Standards, effective February 3, 1993, contain uniform ethical conduct standards applicable to all executive branch personnel, and supersede all existing agency standards of conduct.

Accordingly, the Commission is repealing its existing standards of conduct regulations at 46 CFR Part 500, Subparts A, B, and C, which were superseded by the executive branch-wide Standards on February 3, 1993. In addition, Subpart D of Part 500, dealing with financial disclosure, was also superseded on October 5, 1992, by OGE's executive branch-wide financial disclosure regulation, codified at 5 CFR Part 2634. See 57 FR 11800-11830 (April 7, 1992), as amended at 57 FR 21854-21855 (May 22, 1992) and 57 FR 62605 (December 31, 1992). In place of its old standards at 46 CFR part 500, the Commission is issuing a residual cross-reference provision, at new 46 CFR 500.101, to refer to both the branch-wide Standards and financial disclosure regulations. The Commission has determined not to supplement the standards with its own agency-specific standards.

The Commission finds that good cause exists under 5 U.S.C. 553(b) and (d)(3) for waiving, as unnecessary and contrary to the public interest, the general notice of proposed rulemaking and the 30-day delay in effectiveness as

to this rule and repeals. This rulemaking is related to the Commission's organization, procedure and practice.

Pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, the Commission certifies that this final rule will not have a significant economic impact on a substantial number of small entities, including small businesses, small organizational units and small governmental jurisdictions, because it affects only Commission employees.

#### List of Subjects in 46 CFR Part 500

Conflict of interests, Government employees.

For the reasons set forth above, the Federal Maritime Commission, in concurrence with the Office of Government Ethics, is amending title 46, Subchapter A of the Code of Federal Regulations, by revising Part 500 to read as follows:

#### PART 500—EMPLOYEE ETHICAL CONDUCT STANDARDS AND FINANCIAL DISCLOSURE REGULATIONS

**Authority:** 5 U.S.C. 553; 5 U.S.C. 7301; 46 U.S.C. app. 1716.

##### § 500.101 Cross-reference to employee ethical conduct standards and financial disclosure regulations.

Employees of the Federal Maritime Commission ("FMC") should refer to the executive branch-wide Standards of Ethical Conduct at 5 CFR part 2635, and the executive branch-wide financial disclosure regulation at 5 CFR part 2634.

By the Commission.

**Joseph C. Polking,**

Secretary.

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#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 90

[PR Docket No. 89-552; DA 95-251]

##### Use of the 220-222 MHz Band by the Private Land Mobile Radio Services

**AGENCY:** Federal Communications Commission.

**ACTION:** Interpretation; Extension of compliance date.

**SUMMARY:** Non-nationwide 220-222 MHz licensees are currently required to construct their stations and place them in operation by April 4, 1995. Recently, however, the Commission has received requests from manufacturers of 220-222

MHz radio equipment to extend this deadline. The manufacturers indicate that an extension is necessary because they will not be able to deliver radio equipment to many licensees in time to enable them to construct their stations by April 4, 1995. The Wireless Telecommunications Bureau agrees that some measure of relief should be afforded to non-nationwide 220-222 MHz licensees and has therefore adopted this Order extending the deadline to December 31, 1995 for all non-nationwide 220-222 MHz licensees to construct their stations and place them in operation.

**DATES:** Compliance date extended to December 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Martin D. Liebman, Policy Division, Wireless Telecommunications Bureau, (202) 418-0620.

#### SUPPLEMENTARY INFORMATION:

##### Order

Adopted: February 16, 1995

Released: February 17, 1995

By the Chief, Wireless Telecommunications Bureau:

1. On August 19, 1994, the Private Radio Bureau released a Public Notice (DA 94-902)<sup>1</sup> extending the deadline for construction of non-nationwide 220 MHz stations from December 2, 1994 to April 4, 1995.<sup>2</sup> The Commission, in the *Third Report and Order*, GN Docket No. 93-252, Implementation of Sections 3(n) and 332 of the Communications Act, released September 23, 1994, 9 FCC Rcd 7988 (1994) 59 FR 59945, November 21, 1994, again identified April 4, 1995 as the construction deadline for non-nationwide 220 MHz stations. In that decision, the Commission noted that the extension "gives these licensees approximately 12 months from the date of \* \* \* [the March 30, 1994 Order] \* \* \* to complete construction and commence operations. \* \* \*"<sup>3</sup>

2. Recently, the Wireless Telecommunications Bureau received

<sup>1</sup> The responsibility for licensing the 220 MHz radio service now resides in the Wireless Telecommunications Bureau.

<sup>2</sup> (59 FR 15857, April 5, 1994). The December 2, 1994 deadline was announced in a Private Radio Bureau Order released on March 30, 1994 (see 9 FCC Rcd 1739 (1994)). In that Order, the Bureau, citing the court appeal challenging the Commission's 220 MHz licensing procedures (see *Evans v. Federal Communications Commission*, Order, per curiam, Case No. 92-1317 (D.C. Cir. March 18, 1994)) decided that, upon termination of the appeal, all non-nationwide 220 MHz licensees would be afforded the full 8 months provided under our rules (see 47 C.F.R. § 90.725(f)) to construct and operate their stations. The December 2, 1994 deadline reflected the approximate 8-month period following the March 30, 1994 release of the Order.

<sup>3</sup> See 9 FCC Rcd 8077 (1994).